



Queensland

# Professional Standards Regulation 2017

## Subordinate Legislation 2017 No. 131

made under the

*Professional Standards Act 2004*

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**1 Short title**

This regulation may be cited as the *Professional Standards Regulation 2017*.

**2 Fees for approval, amendment or revocation of scheme—Act, s 71(2)(b)(i)**

A fee of \$5000 is payable to the council for an application for approval, amendment or revocation of a scheme.

**3 Annual fee for members of occupational associations—Act, s 71(2)(b)(ii)**

- (1) A fee (the *annual fee*) of \$50 is payable to the council for each resident member to whom a scheme applies during an annual fee period of the scheme.
- (2) The annual fee must be paid—
  - (a) if the scheme commences during the 3 month period ending on 31 March in a year—not later than 31 March in each annual fee period; or
  - (b) if the scheme commences during the 3 month period ending on 30 June in a year—not later than 30 June in each annual fee period; or
  - (c) if the scheme commences during the 3 month period ending on 30 September in a year—not later than 30 September in each annual fee period; or
  - (d) if the scheme commences during the 3 month period ending on 31 December in a year—not later than 31 January in each annual fee period.
- (3) However, if the scheme starts to apply to an additional resident member during an annual fee period, the annual fee for the additional resident member for the annual fee period must be paid—
  - (a) if the scheme starts to apply during the 3 month period ending on 31 March in a year—not later than 31 March in the year; or

- (b) if the scheme starts to apply during the 3 month period ending on 30 June in a year—not later than 30 June in the year; or
- (c) if the scheme starts to apply during the 3 month period ending on 30 September in a year—not later than 30 September in the year; or
- (d) if the scheme starts to apply during the 3 month period ending on 31 December in a year—not later than 31 January in the following year.

(4) In this section—

***annual fee period***, of a scheme, means a period of 12 months beginning on the day the scheme commences or each anniversary of that day occurring while the scheme is in force.

***resident member*** means a member of an occupational association who is ordinarily resident in the State.

#### 4 Interest payable on unpaid fee—Act, s 71(3)

- (1) If an amount of a fee payable under section 3 is not paid within 30 days after it becomes payable, simple interest is payable at a rate of 0.05% per day on the unpaid amount.
- (2) The interest is payable on and from the day after the 30 days mentioned in subsection (1) ends until and including the day the amount is paid.

#### 5 Waiver of fee or interest

- (1) The council may waive, wholly or partly, the payment of a fee or interest under section 2, 3 or 4.
- (2) When considering whether to waive the payment in a particular case, the council must consider whether there are special reasons for doing so having regard to any relevant matter.

*Examples of relevant matters for a payment of a fee under section 2—*

- 1 the number of other applications the occupational association has made to other jurisdictions for approval, amendment or revocation of a scheme

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- 2 the cost to the council of considering the application for which the fee is payable
  - 3 any financial hardship the payment of the fee may cause the occupational association.
- (3) The council may delegate its power to waive the payment of a fee or interest to a person holding the position of executive officer of the council.
- (4) The maximum amount the person may waive under the delegation in a particular case is \$250.

## **6 Prescribed statement and particulars for notification of limitation of liability—Act, s 34(2)**

- (1) The statement ‘Liability limited by a scheme approved under professional standards legislation’ is prescribed for section 34(1) of the Act.
- (2) The statement must be printed in a size not less than the face measurement of Times New Roman typeface in 8 point.

## **7 Repeal**

The Professional Standards Regulation 2007, SL No. 9 is repealed.

ENDNOTES

- 1 Made by the Governor in Council on 3 August 2017.
- 2 Notified on the Queensland legislation website on 4 August 2017.
- 3 The administering agency is the Department of Justice and Attorney-General.

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